"Don't you know that jsalousy and in-numerable feuds have been caused by one man getting more than his share of cars?"

to his employing so many laborers

"Then you were an operator on a small scale yourself, weren't you?"

employed by miners.
"In the first place," said Mr. Mitchell,
"if a man hires a number of laborers and

the saloon of their employer."

A question by Commissioner Clark brought forth the statement that the con-

Days Worked. 250 to 275. 225 to 250. 225 to 200. 200 to 175. 175 to 150. 150 to 125. 126 to 100.

E. F. Beyea, land agent for the Hillside

Sists of 28, and 107 by those of the Hillside Company.

The morning session opened with the presentation by Counsellor Warren of reports from the Auditor-General and C lief Factory Inspector to prove the contention of the operators that they contribute largely to the State hospitals and that the dangerous nature of the occupation of a miner and the number of casualties are exaggerated.

Judge Gray said that the first part of the statement could not be admitted in consequence of a ruling aganist the admission

SERVICE HONORS GEN. CHAFFEE.

Reception to the New Commander in the

East at the Army and Navy Club.

The Army and Navy Club gave a recep

ion last night to Major-Gen. Adna R.

Chaffee, and the clubhouse was thronged

almost beyond its capacity by men belong-

ing to both branches of the service who responded to the invitations to pay honor

to the new commander of the Department

of the East. The interior of the club was

decorated. At the entrance were placed

the red and green running lights of the

old Kearsarge, and the big ensign of the

famous old ship hung over the mantel

A committee, consisting of Col. F. S.

Dodge, Col. C. I. Wilson, Col. R. W. Leonard

and Paymaster George De Forest Barton, waited on Gen. Chaffee at the Grand Hotel

waited on Gen. Chaffee at the Grand Hotel and escorted him to the club. When he entered he was greeted with cheers. Ho was welcomed by Gen. J. Fred Pierson, president of the club, and in response made an address, in which for nearly an hour he entertained his hosts with descriptions of incidents he had observed while in China and in the Philippines.

The members and guests were presented in turn to Gen. Chaffee. When the hand-baking process was over the company

shaking process was over the company sat down to supper.

MOTORMAN RUNS AWAY.

His Car Had Fatally Injured a Woman

and a Crowd Wanted to Get Him.

Sarah Muldoon, the wife of a longshore

man, was crossing the roadway opposite

her home at 741 Greenwich avenue late last

night and in trying to avoid a southbound

Ninth avenue car was struck by one going

gathered and tried to get at the motorman.

ohn Fitzsimmons. Fitzsimmons abandoned

his car and ran up Ninth avenue. A police-man who went to his home at 542 West Forty

sixth street to arrest him reported at mid

Indicted for the Roosevelt Berkshire Acci-

dent.

PITTSFIELD, Jan. 15.-The Berkshire

County Grand Jury this afternoon returned

olid Madden and James E. Kelley of this

indictments for manslaughter against Eu-

night that he was still missing

Vincent's Hospital, where she died in few minutes. When the accident happened, a crowd

in the other direction. She was taken

shelf in the reception room.

of further statistics.

and bossed the he asked. "Yes, sir."

Q Whydid you consider the sale of the road to the Atlantic Coast Line Railroad Company putting it in safe hands? A. I had confidence in Mr. Walters's management. Q. And that it would not then be a disturbing element in the railway conditions in the South? A. Yes.

Q. But you had the stock in your control? A. Yes, but I did not want to buy the railroad.

SOUTH COULD HAVE GATES IF IT WANTED. Q. You would not have returned it to Mr. ates, would you? A. I came very near

Gates, would you? A. I came very near returning it.

Q. But you did not consider him a safe man to have control of it? A. If the people of the whole South couldn't place that property where it would not be an injury to their interests after full knowledge of what I was about, I thought that my moral responsibility was at an end. I would not have excreised our option; no, sir.

Q. By Mr. Stetson—Was this transaction to affect competition of the Southern Railway or any other railway? A. Not in any way whatever. The Southern Railway had no interest whatever in this transaction; it was exclusively a bankers' transaction.

REASON FOR CONTINUING SOUTHERN VOTING

TRUST. Mr. Morgan said that his desire was to protect the stock of the Southern Railway itself, from Mr. Walters or anybody else; to keep it out of a position where control could be bought by anybody. Col. Young appearing to be still receptical in wiew of the circular to the Southern's stockholders recommending a continuance of the voting trust. Mr. Morgan again took the lead himself and explained the issue of that paper.

took the lead himself and explained the issue of that paper.

"The declaration of a dividend was imminent," he said. "Had the directors in their wisdom seen fit to declare a 2½ per cent, dividend, that action would have terminated the voting trust. With the control again scattered, it might have gone anywhere. I knew, as a member of the firm of J. P. Morgan & Co., of the Louisville and Nashville negotiations, and of the firm of J. P. Morgan & Co., of the Louisville and Nashville negotiations, and it was then uncertain whether Louisville and Nashville would go to Mr. Walters of back to Mr. Gates. I thought that the voting trust of the Southern should continue, because the properties were not yet consolidated, and so that the control of the Southern could not be bought up over night by anybody. As had just been done with the L. & N. I believed that those managing it could do so thetter than Mr. Gates or any of that class of men who may buy up properties

SYNDICATE THAT WAS NOT NEEDED. There was much solicitude on the part of Col. Young about a certain syndicate which had been contemplated by J. P. Morgan & Co. in connection with the L. & N. deal. and Co. in connection with the L. & N. deal. and a circular referring to which had come into the Kentucky commission's hands. When Mr. Morgan found out what it was that the Colonel wanted to know he explained that Mr. Walters's cff-r on behalf of the Atlantic Coast Line for the L. & N. was an ofter of bonds, stock and money; that Mr. Gates wanted all money, and that the syndicate had been contemplated in order to raise the money if necessary. But that raise the money if necessary. But that had not been necessary. The effer to share in the syndicate had never been sent out to the public; people had come seeking a chance to share in it. Their names Mr. Morgan declined to give.

NO HARMONY AGREEMENT. Ex-Judge Edward Baxter of counsel for the defence asked Mr. Morgan as he did every other witness, a very elaborate ques-tion as to whether there was or at any time had been any agreement or undertion as to whether there was or at any time had been any agreement or under-standing of any kind whatever, expressed or implied, that the Southern, the Altantic Coast Line and the Louisville and Nash-ville should be operated harmoniously as a unified system. Mr. Morgan replied as did every other witness that there was none

Mr. Steele testified that a member of the governing committee of the Stock Exchange had come to him and warned him of the possibility of a corner. Mr. Steele went to see Mr. Gates to ask him to continue to lend stock for delivery and learned that Mr. Gates controlled 306,000 shares.

"We thought it bad for the general railroad situation to have the control of such a property as that go, no one knew where."

and Mr. Steele, "and we induced Mr. Gate to make these contracts with us. What we had in mind in consulting with Mr. Walters was that he was a conservative manager of the Atlantic Coast Line, and also to settle the general commercial situa-tion by giving the people confidence that railroads of the country were in the railroads of the country were in con-servative hands. We thought that the management in the hands of Mr. Walters would be wise and conservative and would tend to establish confidence in the general

business conditions of the country.

Mr. Spencer was asked concerning the agreement with the Louisville and Nashville under which the Southern Railway obtained the stock of the Chicago, Indianapolis and Louisville (Monon) Railroad, and he identified a conv of the instrument. nd he identified a copy of the instrument. Asked why that purchase had been made he replied "to benefit the roads running he replied "to out of Chicago.

O. There is sharp competition between Southern and the Louisville and Nash-me? I mean there was? A. There was, TERMS OF THE PURCHASE.

**Mr. Walters said that he learned of the Gates purchase of L. & N. when he was abroad, and that J. P. Morgan & Co. had an option on it. He knew that Mr. Morgan's firm would not want to keep the road and that the Southern could not buy it, owing to the laws of Kentucky. It was a valuable connection of the Plant System and the Atlantic Coast Line's roads, and he came home and entered into negotiations looking to its purchase by the Atlantic

he came home and entered into negotiations looking to its purchase by the Atlantic Coast Line Railroad Company.

The purchase was made for \$50,000,000—\$5,000,000 to J. P. Morgan & Co., \$35,000,000 fm 4 per cent. bonds and \$10,000,000 cash, which was raised by the issue of \$8,500,000 of A. C. L. R. R. stock, which was taken by the company's own stockholders at 125.

J. P. Morgan & Co. had agreed to underwrite the \$10,000,000, but that was not necessary, as the company's own stockholders. sary, as the company's own stockholders took all the stock, which was valued at that time in the market at about 140. In reply to a question Mr. Walters said:

THE ATLANTIC COAST LINE SIDE OF IT. Our relations with the Southern Railway have always been friendly, and that subject was referred to in the discussions attending the negotiations for the Louisville and Nashville purchase, but there was no agreement made, direct or indirect, whatever. Mr. Morgan has no relation whatever with the Atlantic Coast Line and never has had any connection whatever with any of our properties, nor has any member of his firm. The Atlantic Coast Line is practically owned by three persons.

three persons.

Q. Didn't you assure Mr. Steele as one railroad man to another that there would be the closest coeperation between the Atlantic Coast Line and the Southern Railway? A. I did not, but I hope that there will be.

Q. Are the Southern and the Atlantic Coast Line in competition? A. Yes, very active connection.

competition.

Q. Would you enter into a freight war?
A. Certainly. There is nothing to prevent either from doing so.

. BOUGHT LIKE A POUND OF CANDY. Mr. Elliott said to Col. Young in answer to the Colonel's questioning:

to the Colonel's questioning:

My understanding was that we were buying this Louisville and Nashville stock from J. P. Morgan & Co., just as you would go into a confectioner's snop and buy a point of candy, and that when it was wrapped up and delivered to us we would pay for it, and that was all there was of it, and that it was bobody else's business.

We found that certain portions of Louisville and Nashville stock had been deposited with J. P. Morgan and Company under the condition that J. P. Morgan and Company should present to Mr. Gates and another and to Davis and somebody a plan for the disposition of that stock. It was also agreed that if the plan presented was not acceptable, then J. P. Morgan & Co. could buy the stock themselves and pay for it. Then we shad an agreement with J. P. Morgan & Co. 2011. Then we shad an agreement with J. P. Morgan & Co. 2012. Then the stock the was also and sell it to us by Dec. 21. and we increased our stock to make the payment. Our company has nothing on barth to concest.

Mr. Irwin's testimony was in line with

. Irwin's testimony was in line with what had been given by other witnesses.

Ithy a Ball Check—Fits any old mantle burner and gives more light with less gas. Price, 25 cents, instage prepaid, or from any dealer. New York hall Check Lighting Co., 16 Park Place.—Adv.

MINERS WON'T HUSTLE.

WILKES-BARRE, Pa., Jan. 15 .- The coal experators who have tried to induce the mine workers to work more than the regular time, in compliance with the order of President Mitchell, find that the men will not labor more than ten hours. Several of the operators have tried to have the men stay fifteen hours, and the Lackawanna has offered to work night and day in order to catch up with the demand, but the men will

not stay in the mines. The crusade against the speculators gained additional strength to-day when he Temple Coal and Iron Company refused to sell to any but regular customers who can be trusted not to resell to other parties Most of the speculators have been driven out of business

INDIANAPOLIS GETS COAL. Railroad Men Say the Alleged Shortage

Is Largely Mythical. INDIANAPOLIS, Jan. 15 .- The Governor, Attorney-General and several members of the State Senate met in conference with representatives of , the coal carrying roads this afternoon to secure information regarding the coal shortage. The figures submitted by the representatives of the roads showed that they are delivering from 100 to 150 car loads of coal to this city every day and the average is about 30 tons to the

They said that they had received no word of complaint from any dealers and believed the alleged shortage was mythical, except in the case of manufacturers. They are not hauling as much steam coal as usual, but it is because it is not delivered to them

are not hauling as much steam coal as usual, but it is because it is not delivered to them for transportation.

The Governor has called the dealers in conference for Tuesday next to hear their side of the story. All the members of the conference were surprised at the amount of coal daily reaching the city.

POUGHKEEPSIE SHORT OF COAL It May Be Necessary to Close Some of the Vassar College Buildings.

POUGHEEPSIE, Jan. 15 .- The coal shortage may make it necessary to close some buildings at Vassar College unless the supply becomes more plentiful than at present. In Pleasant Valley, Milton and other small towns not a ton of coal can be obtained. People are relying on wood for heat.

The odd sight is presented on the Poughkeepsie and Eastern Railroad of engines burning wood in hauling cars with coal to the Hudson River State Hospital. The police have answered calls to guard coal cars on the Bridge road, and the Hudson River railroad, and coal in the yards of local coal dealers. Considerable quantities of it have been stolen. Of forty coal dealers in the city less than half a dozen can supply

SYRACUSE HAS ENOUGH COAL. oplied by the Railroad Companies-Retalls at \$6.25 a Ton.

SYRACUSE, Jan. 15 .- There is a supply of oal in Syracuse sufficient for the present needs of the city and merchants are taking orders for delivery within three days at \$6.25 a ton for furnace sizes. The coal sup-ply of the city is furnished almost entirely by the railroad companies.

Largest Coal Shipment From Schuylkill Region in Months.

POTTSVILLE, Pa., Jan. 15.—The largest single day's production of coal in the Schuylkill region since the ending of the strike was shipped to-day. To-night the Reading, Pennsylvania and Jersey Central railroads have coal trains lined along the sidings for miles, all of which are being sent to tidewater as rapidly as possible. The mild weather of to-day permitted the operation of many of the washeries which have been frozen up.

Devery and Goodwin Dispense Coal. Frank Goodwin, Devery's old foe in the Ninth, got the Horatio Seymour Club together last night and voted \$500 of the club funds to relieve the poor by buying coal and groceries. John Noonan was made chairman of a committee to dis-

announced that he had bought 100 tons of coal to give to the poor.

Lehigh Valley Stops Coal Orders. WILKES-BARRE, Pa., Jan. 15 .- So great has been the demand for coal in the Hazleton region during the past week that the Lehigh Valley Coal Company, overstocked with orders, has declined to take any more until the present orders are filled. The sales agents believe it will take three or four weeks to fill them with the present supply of coal.

Trains at Chicago Taken Off Because of Coal Shortage.

CHICAGO, Jan. 15.—In spite of warmer weather the coal famine in Chicago and the surrounding country continues acute. The Chicago and North-Western Railroad has put into effect a new suburban time table, withdrawing six trains on account of coal shortage.

\$13.50 a Ton Asked to Supply Police Coal. Only one bid was made yesterday for supplying the Police Department's yearly supply of coal, which is about 5,000 tons. This bidder asked \$13.50 a ton. Com-missioner Greene rejected the bid. He will ask the Board of Aldermen to allow him to buy in the open market, and save

New Haven Road's Expense for Coal. NEW HAVEN, Jan. 15 .- An official of the New York and New Haven Railroad said to-night that the present stringency in the coal market was costing the road betwee \$50,000 and \$60,000 a week more for coal than under normal conditions. Some of the coal has cost the company \$10 a ton.

80 Tons of Coal for Bayonne Poor. About fifty tons of coal are to be distributed among the poor families of Bayonne money to buy which was raised by a beefsteak dinner given last night at the Demo-cratic Club by Bayonne Lodge, No. 434, B. P. O. of Elks. The distribution of the coal will begin at once.

Five Barges of Coal Fast in Ice. MOUNT VERNON, N. Y., Jan. 15 .- There are five barges laden with coal, aggregating 1,500 tons, for local dealers, wedged in the ice in Pelham Bay unable to get up the East Chester Creek to the town dock.

The President Signs Free Coal Bill. WAFHINGTON, Jan. 15 .- The President today signed the bill admitting coal to the United States free of duty.

WATERBURY CARS RUN. Strike Breakers Set Two Lines of Trolley's

Going-Violence Shown. WATERBURY, Conn., Jan. 15 .- Strike breakers operated two lines of trolley cars to-day until dusk. During the noon hour at Waterville the men were pelted and insuited and one of them drew a revolver to protect himself when it appeared the

crowd might overturn the car.

Only a few persons rode and lest there might be violence the lines were all closed at dusk. All night long crowds surrounded the car barns, where the men live, and there were missiles thrown at those who dead exterior the car barns.

dared outside.

Union sympathizers started a smallpox scare to-day and forced the Health Board to inspect the barn full of non-unionists.

COAL OUTPUT IS RESTRICTED.

RESPONSIBILITY OF MINERS SHOWN CLEARLY.

Orders Given by Mine Workers' Officials Forbidding Their Members to Load More Than a Certain Number of Cars -Miners' Income Cut Down a Dollar a Day Thereby-Work of the Most In-competent Man Made the Standard.

PHILADELPHIA, Jan. 15 .- Further testimony showing the restriction of work by the United Mine Workers was brought out before the strike commission to-day Judge Gray resumed his place as chair man and Major Everett Warren, in behalf of the thirty lawyers engaged before the commission, congratulated him upon his recovery, also thanking Gen. Wilson for the manner in which he had presided over

Evidently the unexpected turn of the testimony yesterday that displayed to the commission the essentially anarchistic rule of the miners' union in making the capacity of incapables the measure of work rathe than that of capable men has put John Mitchell on the run. There was hardly a witness to-day in whose cross-examination he did not take a hand. In most cases he only succeeded in making blacker the evidence that the collisties have been and are running beneath their capacity.

At Scranton Chief of Police Major of Moosic testified tearfully that he had not got back his place in the mines after the strike and that never had he intimidated any non-union man. Why he did not get his place back was shown to-day. Thomas G. Brown of Moosic, mine foreman at the Erie colliery, told of a conversation that had taken place between himself and the

Chief of Police during the strike.

"Tell your story," said Mr. Warren,
"without the embellishments added by the Chief of Police. There are ladies in the room. Brown, who was at that time acting as one

of the Coal and Iron police, said that Major had accosted him and asked him if he was going to the mines to guard the "scabs and "bums. "He said that they would soon be stand-

ing on their heads down below," concluded the witness. "Well, use the language," said Judge Gray. "Did he say 'hell?' We can stand

"He did," replied the witness "It seems to me," remarked Judge Gray, that it's bad enough to be in hell without having to stand on one's head."

George Aarons, another miner, corrob rated the conversation. Theodore Hogan of Avoca, foreman of Old Forge colliery testified to the restrictions placed upon the output of the mines. He said: "The president of the Moosic local, United Mine Workers, notified me just how much

work the men could do, and he told me that miners would not be allowed by the union to enter mines on days when the breaker s not working. "They had been accustomed to going in

and blowing down coal so work could begin early the next day. These restrictions have reduced the earnings of our men on an average of \$1 a day." What is the name of this union's presi-

"John Dempsey. He told me that the local had taken this action to restrict the output of the anthracite region." "Did he say the word restrict?"

"Yes. He said the object was to make all the miners equal. I told him that if the union acted that way the men would lose more money than they had gained by a 10 per cent. advance." "Did the men obey Dempsey's order?"

"Yes; they wouldn:t load more coal than Hogan testified that he had kept up the normal product by putting on fifty ad-

ditional men. A great part of the testimony of Victor L. Peterson, superintendent of the Hillcity National Bank, was ruled out. He had been called to prove that the bulk of the depositors there were employees of the company. As h ecould testify on this point only from hearsay, Counsellor Darrow entered a protest which was sustained Judge Gray remarking.

point only from hearsay, counselor Darreve entered a protest, which was sustained, Judge Gray remarking:

"We would like to have such testimony, but it is not fair to have us infer that ninetenths of the deposits are those of miners."

The witness denied that the trade life of a miner is shorter than that of other workingmen, or that it is less healthy. He said that after they came under control of the United Mine Workers they had been insubordinate. He described seenes and acts of violence on Sept. 23 and 24, which had accompanied the attempt of the employees to resume before the conclusion of the strike. He told of threats to kill James White, a mine foreman.

"Did you ever talk with any union man regarding what you call the restriction of the output of coal?" asked Mr. Darrew.

"I don't know any union officially, so I could not talk with any union man."

ould not talk with any union man.
"Why do the men restrict the "Why do the men restrict the output as you say?"
"My foreman tells me that the men say six cars of coal are enough for a day'

"Did you recently have a strike at Clifford breaker?"

"Yes," was the reply.

"What brought about this strike?"

"We had a breaker boy who refused to change from handling chestnut coal to an egg coal chute. The boy said he was not paid for handling egg coal."

Mr. Mitchell asked the witness whether the miners are getting out as much coal as is possible. He wanted to know whether the full capacity of the mines is being developed. "There is a coal famine on and I am doing what I can to relieve it."

and I am doing what I can to relieve it, said Mr. Mitchell, by way of explanation. The witness replied:

said Mr. Mitchell, by way of explanation.

The witness replied:

"I can't say positively about the present output. I hardly think however, that the miners are doing their best."

A list of names of men who worked during thestrike that had been sent to the merchants of Forest City by the United Mine Workers, with the request that no supplies be furnished to them, was then presented. An objection of Mr. Darrow to its admission was overruled by Judge Gray.

objection of Mr. Darrow to its admission was overruled by Judge Gray.

John P. Clark, foreman at Hughestown, also testified to restriction. He belonged to the union at the time of the strike of 1900, but the organization, of which he was secretary, subsequently disbanded. He denied that he had been influenced or urged by the company to quit the union, or that he received any increase of pay because he had done so. He is not opposed to a union or to the United Mine Workers of Ameica, only to some persons connected with the latter.

He told of the circumstances surrounding

He told of the circumstances surrounding He told of the circumstances surrounding the disbanding of the local union. When it was organized, the members, he said, were informed that they would not have to come out on the first strike call. A committee was sent to see T. D. Nichols, president of the district, on the matter. They were informed that they would be expected to quit as soon as a strike was ordered, and thereupon the union resolved to disband. He gave the average time a miner works underground as three and a half hours.

time a miner works underground as three and a half hours.

Seward Button of Corea, mine foreman for the Hillside company, belonged to the union until promoted to his present place. He told how, after 1900, the organization cut off one car from the number a miner was allowed to fill and of a fine imposed if the topping went over ten inches. He maintained that if the miner were permitted to work ten hours a day he could make from \$3 to \$5 a day, but that he actually puts in about forty-six hours a week.

William Robertson of Scranton, who for the last two years was assistant mine

DEMURRAGE ON COAL DOUBLED

TO RELIEVE CONGESTION AND TO HURRY MARKETING.

foreman at colliery No. 5 of the Pennsylvania Coal Company, said that he had had ten years' experience in cutting coal, but had never belonged to the union, as he regarded it detrimental to discipline. He said frequently discipline was lax at his colliery, but that he had hesitated to discharge the offenders lest atrikes should ensue. Regarding the restriction on the output the witness testified that prior to 1900 the miners loaded anywhere from ten to fifteen cars daily, but since then the number was reduced. The miners, he said, declared that the union would not allow them to load more than eight. Upon cross-examination Mr. Darrow asked the witness: "Don't you know that jealousy and in-Mes for Mederately Small Consu Made at a Meeting Called by R. F. Cutting-They Are to Be Provided For -Charity Society Opposes Coal Bill.

To relieve the congestion caused by shipments of independent coal arriving at tidewater here faster than they can be handled, the coal-carrying companies raised the demurrage on cars of coal yesterday from \$1 to \$2 a day a car as long as they remain unloaded. Almost all the coal at the Lackawanna

"Not where I worked."

The witness said that the general health of all the miners working under him was of all the miners working under him was generally good.

Testimony regarding contract work was furnished by William Zorn. He said that he had bid on contract work which consisted in the removal of a number of "pillars." These are the columns left in the mines in order to support the chamber roof. As they contain good fuel, however, they are always removed after the rest of the pocket has been disposed of. Zorn said that he had thirteen men working for him, but owing to the restriction placed upon theiutput was compelled to give up the contract. The union, he said, objected to his employing so many laborers. docks in Hoboken is independent coal. On account of the great demand here, the ndependent operators are taking the chance of their lives to make big profits, a representative of the company said. 'They will never make as much money again and hey are anxious to get their product on the market before the prices break. A good deal of the coal was frozen together in the cars when it left the collieries, so it takes longer to unload it.

Norn's statements brought President Mitchell to his feet.

"You employed those men to do the work and bossed the operation, did you not?" So many complaints of inability to get coal have been made by people who are in moderate circumstances that a conference of coal declers called by President Robert Fulton Cutting of the Association for Improving the Condition of the Poor was held yesterday to consider their case. Those who buy in half-ton lots are the greatest sufforers, Mr. Cutting said, as they are practically ignored by the dealers when In answer to a question from Commissioner Watkins, President Mitchell said that there were two chief reasons why the union restricts the number of laborers employed by miners. are practically ignored by the dealers when

coal is scarce.

It was suggested that several dealers should be asked to deliver coal to small flat dwellers in half ton lots at the rate of \$8 a ton. Alfred Barber volunteered to undertake to deliver coal on the East Side if he could get it. Other dealers were willing to undertake the delivery on the West Side.

The coal presidents, at their meeting next Tuesday, will be asked to provide this

"if a man hires a number of laborers and has them scattered about he cannot superintend every move, and consequently some one may be killed."

"In the second place, it has a tendency to reduce wages. A contracting miner will bid upon a piece of work, and then should he secure the contract, will make his profit from the men. I know of several cases where saloonkeepers in the coal regions had men working for them in the mines. They profited in a twofold way, for these men felt in duty bound to spend money in the saloon of their employer." coal.

The Charity Organization Society decided yesterday to oppose the bill before the Legislature permitting the city to appropriate \$250,000 for providing coal for the poor on the ground that it is unnecessary. The society has written a letter to Gov. Odell, asking him to veto the bill. They say that the pail delivery provides for the poor. All the depots where coal is sold by the pail had plenty of coal yeserday. brought forth the statement that the contracting miner in making such a contract assumed little liability.

A mass of figures and statistics were presented by M. T. Blauvelt, auditor of the Hillside Coal and Iron Company and the Pennsylvania Coal Company. His testimony related to the earnings of the contract miners. The books contained merely the amount paid to the miners and did not say whether one, two or how many laborers were employed. In other words, the latter, not being hired by the company, were not on their books, the contract being in the name of one man only—the miner. conference of retail coal dealers was

held in the Mayor's office, at which the general distribution of coal was talked over. Another will be held in a day or

Agricultural Department Expert Arrested for Killing Diseased Cows. WASHINGTON, Jan. 15 .- The plans of the

FINED FOR CRUELTY TO ANIMALS.

were not on their books, the contract being in the name of one man only—the miner.

The object of the investigation is to determine a basis for the earnings of the laborers. At present it is about 33 1-3 per cent. of the amount paid to the miner, but 37 per cent. is being urged.

Mr. Blauvelt's figures covered the average earnings for each class of workers. Following are the groupings of the contract miners' earnings at the different collieries of the Hillside Coal and Iron Company, in the first column is given the number of men; the number of days they worked are in the second and the amount earned for that period in the third:

Men.

Days Worked.

Earnings. Agricultural Department for eradicating the foot and mouth disease in New England may be entirely frustrated if the action of a Massachusets Judge is sustained. Dr. Harry Q. Thompson, one of the Department's inspectors, was having a herd killed and two of the cows had to be struck more than once in order to kill them. Dr. Thompson was arrested by the local authorities son was arrested by the local authorities on a charge of cruelty to animals. The Judge held that it was unnecessary to kill the animals and fined the Doctor \$15. Secretary Wilson says:

"If the experts of the Department are to be criminally prosecuted in Massachusetts they may have to abandon the undertaking altergather in which case the State of

altogether, in which case the State of Massachusetts will be quarantined and permitted to eradicate the disease within her borders herself. One thing is very E. F. Beyea, land agent for the Hillside and Pennsylvania companies presented as evidence a list of the Pennsylvania's employees who are assessed as householders. It contained 989 names, or 21.8 percent. of the total employees. In the Hillside the same class includes 341, or 13 per cent. of theentire number. The number of houses rented to employees by the former company consists of 28, and 107 by those of the Hillside Company. certain-the quarantine will not be raised of that State until this work is accomplished. Of course Dr. Thompson's case will be appealed and fought through all the courts

M'NALLY'S EXPLANATION. Former Consul-General at Guatemala City

Satisfies the State Department. WASHINGTON, Jan. 15 .- The explanation James C. McNally, former Consul-General of the United States at Guatamala City. that he did not furnish the New Orleans interview in which he was quoted as oriti-

been accepted by the State Department Third Assistant Secretary of State Peirce is examining Mr. McNally in reference to the charges filed by Senator Deboe and Minister Hunter, that Mr. McNally was engaged in the alleged conspiracy to assassinate the Minister's son, and was guilt of immoral conduct with a Guatamala As the State Department believe that Mr.McNally is innocent of these charge no doubt remains that he will be acquitte and permitted to proceed to his new cor-sular post, Liege, Belgium.

THE CONSULAR SERVICE.

House Committee Votes 7 to 6 to Repo Bill to Reorganize It.

WASHINGTON, Jan. 15 .- By a vote of to 6 the House Committee on Foreign Affairs to-day authorized a favorable re port on the Adams bill to reorganize the Consular Service. The bill makes all citizens between the ages of 21 and 55 eligible to appointment upon passing a satisfactory examination as to educational qualificatio and fitness. A person in office now of hereafter appointed may be retained unti-he reaches the age of 68 years. Appoint-ments are to be made to the lowest grade ments are to be made to the lowest grade, \$1,800 a year, and appointees are to be eli-gible to advancement to \$10,000 positions, the highest in the service.

Mr. Landis of Indiana was the only Re-publican voting against the bill in com-mittee. No Democrats supported it.

Washington Notes. Major Von Etzel, the new military attaché of the German Embassy, has arrived in Washington and taken up his diplomatic

duties Attorney-General and Mrs. Knex left Washington last evening for Pittsburg. where they will remain as the guests of Mr. and Mrs. Henry Clay Frick until Monday.

Mr. Grip, the Swedish Minister, has gone to Mexico on diplomatic business for his Government. He will return to Washington

Government. He will return to Washington by Feb. 1.

Mr. and Mrs. George Cabot Ward, the latter the daughter of Mr. and Mrs. William Bayard Cutting of New York, have taken a house in Washington for the season.

Miss Patterson, daughter of Mr. and Mrs. Robert W. Patterson, leaves Washington to-day and sails from this city to-morrow for St. Petersburg, where she will spend the winter with the Ambassador and Mrs. McCormick, the latter her aunt.

Senator Balley Sets His Teeth Agains Unanimous Consent Agreements.

WASHINGTON, Jan. 15 .- Senator Baile of Texas showed his teeth to-day in the executive session of the Senate by declaring that there would be no more unanimo city, the motorman and conductor of the car which ran into a carriage containing consent arrangements until his Sabine Pass bill was voted upon. He tried to get unani-mous consent in the afternoon to pass the bill which makes Sabine Pass a port of entry. Mr. Hanna objected because the bill has not yet been reported by the Com-mittee on Commerce. Mr. Bailey, it is now said, made the attempt for the purpose of placing himself in a position to object to any unanimous consent agreements. President Roosevelt and Gov. Crane September 3 last, killing the President's guard, Secret Service Officer William Craig of Chicago. When arraigned this after-noon on the charge of Craig's death Madden and Kelley pleaded not guilty. any unanimous consent agreements.

Miss Alice Mignon Oxley was married to Dr. Clarence Wellington Campbell last even-ng in the Church of the Stranger. The Protest Against Sunday Law Enforcemen Two hundred East Side shop keepen bride wore white satin with lace talle, and orange blossoms. Mrs Edward Glover was her matron of honor. There were no bridesmaids. The best man was Dr. E. Campbell, and the ushers: Dr. W. C. Taylor, Dr. Bert Charlton, Dr. Frank Yeomans, Dr. W. F. Mettendorf, Wylie Grant and Herbert Tuttle. The couple will live at Dexter, N. Y. met last night to protest against the rigorous enforcement of the Sunday law in the Union Market precinct, which it is understood Capt. Becker plans. A great many of the protestants keep small dry goods spres.

HELPED TO SAVE CALIFORNIA.

Crew of the Frigate Congress. HONESDALE, Pa., Jan. 15 .- The death at Monterey, Cal., of Thomas Brales removes one of the two survivors of the group of men who raised the first United States flaz over California in 1846. The only survivor now is William Hill of this village, who, at 78, is still as hale and hearty as a man of

At the age of 17 Hill ran away from hi home here and shipped on a New Bedford whaler. After a two years' cruise the ship, homeward bound, touched at Honolulu. There Hill and others left it. Hill shipped on a merchant vessel bound

for India, and a year later was back at Honolulu. There, while ashore, he heard that war had been declared between the United States and Mexico. An American man-of-war about that time cost anchor off Diamond Head. It

proved to be the Cyane, commanded by Capt. Mervine. Hill and two others left the merchant ship, went aboard the man-of-war and enlisted in the navy for three years, or during the war.

"The Cyane sailed for Monterey, and arrived in the harbor on July 6, 1846," says

"The frigate Savannah, commanded by Commodore Sloat, was there. The Commodore Sloat, was there. The Commodore was waiting for a larger force. It did not come, and the next day we went ashore and holsted the American flag over Monterey.

"The proclamation of possession was read in English and Spanish. If we had been forty-eight hours later the United States would have had to fight England or give up all claim to California, for while

give up all claim to California, for while the excitement over the occupying of Monterey by our forces was at its height on July 9, a British line-of-battle ship appeared in the offing.

"She was a formidable-looking vessel and no mistake. She carried more guns, and bigger ones, than our three ships combined. Nevertheless our decks were cleared for action in short order. Every man was at his post and every gun was ready to be fired on the word. The great British ship sailed straight for the harbor looking hostile enough, but as she entered it she tacked, and her band struck up 'Yankee Doodle."

"There was no mistaking the meaning of that, and the band on our flagship responded with 'God Save the Queen.' The British vessel was under command of Commodore Seymour. He entered a boat and was rowed to the Savannah, where he paid his respects to Commodore Sloat.

was rowed to the Savannah, where he pild his respects to Commodore Sloat.

"I see the American flag is flying on shore,' said he. 'If it were not, I should have immediately raised the British flag there and taken possession of California in the name of her Majesty, the Queen.'

"The people of California wanted English protection rather than ours, and if our little fleet hadn't got in there just as it did they would have had it. Two or three days later Commodore Stockton joined our fleet

they would have had it. Two or three days later Commodore Stockton joined our fleet with his frigate Congress. I was transferred to the Congress, and remained with her until the war was over, helping protect the California coast. All through the war British battleships hovered about that coast as well as the Mexican coast, for some

as well as the Mexican coast, for some reason or other, but they never came as near taking a hand in the game as Seymour did at Monterey.

"At the close of the war the Congress was ordered to San Francisco, where Commodore Stockton was detached and sent with seventy-five men overland to the East. The Congress, under command of Capt. Avealet, had orders to sail to Norfolk, Va., around Cape Horn. Cape Horn.
"While rounding the Horn we were struck

"While rounding the Horn we were struck by a tremendous typhoon. The Congress was thrown on her beam ends and drifted to lee at the rate of 16 knots an hour. At the height of that terrible gale we sighted a ship to windward, her rigging filled with men evidently calling for help, but we could give them none. We never knew what ship it was, but she went down with all on board.

"The Congress weathered the storm, and we arrived at Norfolk safe and sound and the crew was discharged. I was the youngest member of that crew by five years, and that I am the last survivor of it I have no doubt."

SENDS FIVE-CENT MONEY ORDERS To President Roosevelt, Senators Platt and Depew, David B. Hill and Others.

ALBANY, Jan. 15 .- The local postal authorities are somewhat puzzled by the strange action of one Sam Sanders of Lexising Minister W. Godfrey Hunter, has ington, Miss., who is flooding the money order department of the Albany Post Office with orders for five cents. The orders received to date are for President Roosevelt, Senators Thomas C. Platt and Chauncey M. Depew, former United States Senator Edward B. Murphy, former United States Senator David B. Hill, Bird S. Coler, Richard Croker, the late President McKinley and the late Thomas B. Reed. All of the amounts of the orders were for five cents each. Mr. Hill has received two

orders, one for \$1.

This man has annoyed the local Post
Office authorities in this manner for some
time, and several months ago Postmaster
Argesinger wrote to the postmaster at
Lexington, Miss., to stop issuing money
orders for such small amounts to Sanders.
It is needless to say that none of the orders
was ever redeemed or paid at the local was ever redeemed or paid at the local

Sanders stopped his practice for a few months, but yesterday afternoon an order was received from the post office at Pickens.

Miss., a short distance from Lexington, for Bird S. Coler for five cents. A few months ago Mr. Hill received a letter from Sanders saying that he had a very important legal case for him, but he neglected to send any details. This morning, however, he reminded Mr. Hill of his existence by sending him a money order for \$1, presumably as a retainer. This was mailed from Ebenezer, Miss., about forty miles from Lexington.

SMOOT'S NOT AFRAID. Will Not Walt for Sentiment to Die Out

Before He Comes East. SALT LAKE, Utah, Jan. 15 .- "Easterners who are charging that I am afraid to go to Washington until sentiment dies out against me are counting on the wrong man," declared Apostle Reed Smoot of the Mormon chared Apostic Reed Smoot of the Mormon Church to-night. "I am the caucus nominee of the Republicans and will be elected next Tuesday by the votes of five-sixths of the members of the Utah Assembly. So soon as the Governor issues my certificate I shall go to Washington and present my credentials to the Senate."

Every power the Mormon Church con-trols will be exerted in Smoot's behalf.

Bank President Newberry Arraigned. FREEHOLD, N. J., Jan. 15 .- John W. Newberry of Newark, also of New York, and Rudolph Newman, formerly secretary for the defunct Mercantile Cooperative Bank of New Jersey, were arraigned here be-fore Judge Heisley to-day, having been fore Judge Heisley to-day, having been jointly presented on eleven different indictments. They were implicated in the wrecking of the Mercantile Ccöperative Bank, which recently went into a receiver's hands, Newberry being president of the concern. Nine of the indictments are for false pretences and two for misdemeanors. The men were released under bail for trial on Feb. 2 bail for trial on Feb. 2.

Newark Car Barn Burned. The car barn of the Bergen and South Tenth street line of the North Jersey Traction Company in Newark was burned last night, with twenty-five cars, two sweepers and a snow plough. The loss was about \$15,000.

Glant Rifle to Be Tested To-morrow. The army's big 16-inch coast defence gun, the largest modern rifle ever made for the United States Government, has been assembled at the Sandy Hook Proving Ground and will be officially tested to-



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DESKS STATE DINNER TO DIPLOMATS.

President Roosevelt Entertains the Repre-

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The Mark

Quality

sentatives of Foreign Countries. WASHINGTON, Jan. 15 .- The elaborate ourt dress of the diplomats made the White House gay to night, the event being President Roosevelt's annual State dinner to the Ambassadors, Ministers and Chargés 'Affaires of the thirty-five foreign counries represented in om of the table was a T without the centre stem, the President occupying the centre of the table on the outer side, with Sefora de Aspiroz, wife of the Mexican Ambassador, to his right, and Mrs. Roosevelt opposite, with the Russian Ambassador at her side Large plaques of meteor roses and red carnations, alternated with plaques of white hyacinths and tall crystal vases of white carnations, decorated the table. The red service bought during the Cleve-land administration was used, the new service being still in the hands of the pot-

ters.

The Marine Band orchestra was stationed in the Colonial Hall, where palms relieved the harsh outlines of the walls. Vases of red, white and pink roses, with a few pots of ferns on the mantels, were the only decorations.

Mrs. Roosevelt wore a trailing dress of white satin trimmed in pearl embroidery.

and a diamond necklace and hair ornament.

Besides the diplomats the President's Besides the diplomats the President's guests were: The Secretary of State, Senator and Mrs. Lodge, Senator Spooner, Senator Bacon, Senator and Mrs. Depew, Senator Foster of Louisiana, Representative Hitt, Representative Dinamore, Representative Cousins, Gen. B. F. Tracy, Gen. and Mrs. Leonard Wood, Assistant Secretary of State and Mrs. Peirce, Col. Theodore A. Bingham, Major Charles L. McCauley, Mr. and Mrs. Whitelaw Reid, Mr. and Mrs. Clifford Richardson, Mr. and Mrs. Douglas Robinson, Civil Service Commissioner and Mrs. James R. Garfield, Mr. and Mrs. Theodore F. Walsh, Miss Alice Roosevelt, Miss Christine Kean Roosevelt and Miss Elfrida Roosevelt.

CUBAN TREATY REPORTED. t Makes 40 Per Cent. Reduction of Duty

on American Cattle Going Into Cuba. WASHINGTON, Jan. 15 .- Mr. Cullom, chairman of the Committee on Foreign Relations, reported the Cuban reciprocity treaty to the Senate in executive sessio to-day. Two amendments are proposed by a committee. One provides that there shall be no other reduction of duty on sugar shall be no other reduction of duty on sugar imported from any foreign country under the rates fixed by the act of July 21, 1897, during the life of the treaty. The other amendment reduces the duty on American cattle imported into Cuba 40 per cent. instead of 20 per cent. Gen. Taskor H. Bliss, who negotiated the treaty, said he believed Cuba would accept this amendment.

There was no discussion of the treaty in executive session. The Senate adjourned until Monday in order to give time to

until Monday in order to give time to line up Republican Senators in what promises to be a fierce partisan fight. With the withdrawal of objection to the With the withdrawal of objection to the treaty by the beet sugar interests, the coalition of "insurgent" Republicans went to pieces, and the opposition to the treaty is now exclusively on the Democratic side with the possible exception of Senator Mason of Illinois. He is not here, and his position is a little in doubt. Senators Perkins and Bard of California have practically agreed to vote with their party. Perkins and Bard of California have practically agreed to vote with their party. The latest acquisition to the Republican column to-day was Wellington. He will vote for the treaty unless he changes his mind again. Among the Democrats who will support the treaty is Mr. Morgan of Alabama, who voted with the Republicans mittee to report the treaty as

Washington Society Notes. WASHINGTON, Jan. 15 .- The President has as guests at the White House Mr. and Mrs. Whitelaw Reid, Mr. and Mrs. Clifford Richardson, Mr. and Mrs. Douglas Robinson. Miss Christine Roosevelt and Miss Elfrida Roosevelt.

M. De Margerie, Chargé d'Affaires of the French Embassy, and Mme. De Margerie, entertained at luncheon to-day in compli-ment to Miss Sargent of Boston. Several large receptions were held by Senators' wives this afternoon, when so-ciety generally took the first opportunity to pay their respects. Mrs. Depew re-ceived for the first time and was assisted by Mrs. Corbin and Mrs. Rockhill. Mrs. Hanna, Mrs. Aldrich and Mrs. O. H. Platt eceived at the Arlington and were greeted by hundreds of friends.

Quits Navy to Work for a Shipbuilding Firm WASHINGTON, Jan. 15 .- The President has accepted the resignation of Naval Constructor Frank W. Hibbs, to date from Jan. 14. He has accepted a lucrative and important position with the Moran Brothers' Shipbuilding Company of Seattle, Wash.

To preserve one's health is a sure way of adding to the enjoyment of living. The use of

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is conducive to good health and is a real help to mind and body. W. A. Taylor & Co., Agts., 20 B'way, N. Y.

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